

FARMINGTON CITY COUNCIL MEETING

October 16, 2018

WORK SESSION

Present: Mayor Pro Tempore Brett Anderson; Councilmembers Rebecca Wayment, Doug Anderson, Cory Ritz, Alex Leeman; City Manager Dave Millheim, Assistant City Manager Keith Johnson, City Development Director David Petersen, City Economic Development Director Brigham Mellor, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden

Excused: Mayor Jim Talbot

Financial Update with FY 2018 Unaudited Balances

Assistant City Manager **Keith Johnson** presented a financial update noting that the fund balance is stronger than expected and revenues have started to level off. He said that expenditures have increased faster than revenues. **Keith Johnson** noted that as the City has grown additional staff have been hired (fire, police, City Engineer, Economic Development Director). These additions were not in the original budget forecasts. The original forecast has improved over time, but still shows deficits for the next 4 years. **Dave Millheim** cautioned the Council to avoid dipping into the fund balance to cover the shortfall, and instead make good decisions regarding future expenditures to avoid a deficit.

Mountain View Subdivision/PUD

Councilmembers noted that several residents had expressed concern about the construction taking place in the Mountain View Subdivision. **David Petersen** clarified that the action before the council was about extending the cul-de-sac in the project four more lots. He said that he was aware of the construction issues and he and Ken Klinker visited the site and shut down the building activity. He will continue to follow-up to make sure that there will not be construction access from 250 West and that construction will not resume until improvement drawings have been approved.

Amended Agenda

Dave Millheim briefly reviewed the amended agenda which included the UDOT Agreement for Mitigation of 1100 West Park, the purchase agreement for the Amenti property, and approval of the new City Manager's contract.

REGULAR SESSION

Present: Mayor Pro Tempore Brett Anderson; Councilmembers Rebecca Wayment, Doug Anderson, Cory Ritz, Alex Leeman; City Manager Dave Millheim, Assistant City Manager Keith Johnson, City Development Director David Petersen, City Economic Development Director Brigham Mellor, City Recorder Holly Gadd, and Recording Secretary Tarra McFadden

Excused: Mayor Jim Talbot

CALL TO ORDER:

Mayor Pro Tempore **Brett Anderson** called the meeting to order at 7:03 p.m.

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

The invocation was offered by **Brett Anderson** and the Pledge of Allegiance was led by Boy Scout Max.

OLD BUSINESS:

Brookside Hollow Preliminary PUD Master Plan - Brighton Homes (411 South 200 West)

David Petersen reviewed the staff report and stated that this matter was previously reviewed at the September 4, 2018 City Council meeting. The matter was tabled with eight conditions. The staff report includes an explanation about how each of these conditions have been addressed.

The first item reviewed was the traffic study conducted which presented several options for access out of the subdivision and onto the frontage road. Public Works and the City Engineer were concerned about the recommendations, so the City consulted with its own traffic engineer, Tim Taylor. Tim Taylor presented an alternative recommendation which was agreed to by the applicant. The Council discussed the safety of the trail near the intersection of 200 West and the I-15 off ramp. **Rebecca Wayment** suggested that the trail on the west side of the frontage road end before it reaches 200 West and that the cross walk be relocated a safe distance from the intersection.

Condition 2 related to UDOT approval for the access point on the Frontage Road. Approval will come from the City as it controls the access points. Condition 3 cannot be addressed until the City has approved final plans for the project; the staff recommendation is for the item to remain a condition of Preliminary PUD Master Plan Approval. Condition 4 was met as the developer presented draft concept plans related to trail and trail access improvements. Condition 5 will remain as a condition of Preliminary PUD Master Plan Approval. Condition 6 was for an expanded traffic study; staff feels that this condition has been met by the additional analysis done

by Tim Tayler of WCEC. Condition 7 required that the applicant provide a tree preservation plan which was submitted as part of the Preliminary PUD Master Plan Approval. Staff recommends removing condition 8 related to water pressure in the area as it is not germane to the subject application. Staff will consult with Benchland regarding secondary water pressure.

David Petersen noted that the next opportunity for public input will be at preliminary plat approval. **Alex Leeman** noted that the Planning Commission will not have a public hearing for preliminary plat approval unless directed to do so.

Motion:

Cory Ritz moved that the City Council approve the preliminary PUD master plan for the Brookside Hollow PUD Subdivision subject to all applicable Farmington City ordinances and development standards and Conditions 1-5 and Findings for Approval 1-8.

Alex Leeman seconded the motion which was approved unanimously.

Conditions for Approval:

1. The applicant shall follow the recommendations of Tim Taylor, the City's Traffic Engineer, regarding the submitted transportation/traffic study for the project;
2. The applicant shall obtain a Davis County Flood Control permit to build near Steed Creek;
3. The applicant shall provide a proposal for a trail or trail access around the assisted living facility at preliminary plat;
4. All outstanding comments from the DRC for schematic plan shall be addressed on preliminary plat;
5. Following Council discussion and recommendation the west side trail shall be ended an appropriate distance from the intersection, to provide a safe east/west crossing via a relocated crosswalk on the Frontage Road.

Findings for Approval:

1. The proposed plans meet the requirements of the subdivision and zoning ordinances for the BP one.
2. The proposed development will provide single-family residential developments similar to those of surrounding neighborhoods.
3. The elevations provided are of a high design quality and meet the intent of Sections 11-27-010 and 11-27-120 of the Zoning Ordinance.
4. The landscape plan provided is of a high design quality and meet the intent of Sections 11-27- 010 and 11-27-120 of the Zoning Ordinance.
5. Although single-family residential is not a listed permitted or conditional use in the BP zone, it is a much preferable use to many of the permitted and conditional uses that are currently allowed in the underlying zone.
6. The traffic impact study by Reeve & Associates, Inc. dated September 13, 2018, with recommendations /stipulation s thereto as set forth in the WCEC Technical

- Memorandum dated October 3, 2018, adequately address traffic issues related to the project if followed by the applicant.
7. The letter from UDOT dated May 29, 2018 provides that the access to the frontage road is controlled by Farmington City.
 8. The proposed Tree Preservation Plan, which is not part of the Preliminary (PUD) Master Plan, preserves as many mature trees as possible and is consistent with such plans submitted by others in the past.

SUMMARY ACTION:

1. Approval of Minutes from October 2, 2018
2. Resolution Approving Interlocal Agreement with Davis County regarding Prop One Funding
3. Dead-end Street Exception Request - Mountain View Subdivision/PUD
4. Ambulance Write Offs for FY2018
5. Contract for New City Manager
6. Resignation Agreement with City Manager

Rebecca Wayment said that the Council discussed item number 3 in the work session as it related to concerns regarding construction. She clarified that staff had directed the contractor to stop construction and to vacate 250 South as construction access.

Rebecca Wayment moved, with a second from **Alex Leeman**, to approve summary action item 1 through 6 as contained in the staff report.

The motion was approved unanimously.

NEW BUSINESS:

Ordinance Amending Section 3-5-020 of the Farmington City Code and Enacting a Retention and Classification Schedule related to Government Records Access Management

Dave Millheim said that an update to Farmington's code was needed related to records retention. The update expands the existing ordinance to cover communication conducted via social media, electronic mail or mobile phones. **Holly Gadd** drafted the ordinance which follows state retention guidelines.

Motion:

Doug Anderson moved that the City Council amend Section 3-5-020 of the Farmington City Code and Enact "Appendix A" Retention and Classification Schedule as it pertains to Government Records access and management.

Cory Ritz seconded the motion which was approved unanimously.

UDOT Agreement for Mitigation of 1100 West Park due to West Davis Corridor

Dave Millheim said that staff has drafted a press release regarding the purchase of the Amenti property as a way to mitigate the loss of the 1100 West Park being taken for the West Davis Corridor. The City and UDOT have to satisfy federal regulations and so a conservation easement will be placed over the new park ground. Additionally, UDOT has agreed that some of the 1100 West park will remain in the City's control and will be maintained as green space and provide an additional buffer between the highway and Canyon Creek Elementary School.

Doug Anderson said that the location of the new park will buffer the business park from those living to the west and will be a great first project for the business park. He thanked staff for working diligently with UDOT to make this a "win" for the City. **Brett Anderson** echoed the praise for the staff and shared that the Mayor also worked very hard to build a good relationship with UDOT and have an agreeable outcome. **Rebecca Wayment** noted that Farmington benefits from this deal, and asked when the new park would be in place. **Dave Millheim** said that the plan was to get one more year of use out of the 1100 West Park before reprogramming the activities there. He said that ultimately, the City will be in charge of the timeline for the new park and that with the approval of the agreement the City will have the money and the property to develop the park when desired.

Motion:

Doug Anderson moved that the City Council authorize the Mayor to sign the attached Mitigation agreement with UDOT.

Cory Ritz seconded the motion which was approved unanimously.

Cory Ritz added that it was difficult during the Bangerter Farm hearing to not disclose that the City was working on this property as an option, but due to the nature of real estate transactions it was not able to be public until all parties had agreed.

Real Estate Purchase Contract for 17.7 Acres – Amenti

Dave Millheim presented the item from the staff report. He said that the agreement has been in process since April and includes some conditions related to fee credits, rezoning and amending the Parks Master Plan. The staff recommendation is that the agreement be approved.

Dave Millheim said that there is still work to be done with UDOT regarding the condemnation of the conservation easements and the connector road.

Brigham Mellor provided a summary of the updates to the agreement from the printed copy presented to the Council. He said that the amended agreement includes impact fee credits for the seller. **Brigham Mellor** explained that 2.1 acres of wetland will need to be mitigated and will cost approximately \$200,000. The City suggested deducting the costs of mitigation from the impact fee credits and the sellers agreed if the reduction to the impact fees were capped at no

more than \$200,000. The agreement states that the sellers could receive up to \$1.8 million dollars in impact fee credits.

Brigham Mellor also said that an Item 9 was added that will require that if improvements necessitate the removal of existing fencing the remaining portion will have a fence suitable for livestock.

Brett Anderson thanked **Brigham Mellor** for his work on the agreement.

Motion:

Doug Anderson moved that the City Council approve the REPC contract as amended and explained by staff agreeing to purchase the 17.443 acres of Parcel ID 080600034 following the pending results of a survey of the 17.443 ac. and subdivision according to Exhibit 'A' AND provided the completed execution of the 4f mitigation agreement between Farmington City and the Utah Department of Transportation.

Rebecca Wayment seconded the motion which was approved unanimously.

GOVERNING BODY REPORTS:

City Manager Report

1. Fire Monthly Activity Report for September: Councilmembers were directed to review this item as presented in the staff report.

Mayor Talbot & City Council Reports

Councilmember Cory Ritz

No updates to report.

Councilmember Doug Anderson

No updates to report.

Councilmember Brett Anderson

No updates to report.

Councilmember Alex Leeman

No updates to report.

Councilmember Rebecca Wayment

No updates to report.

Mayor Jim Talbot

Excused.

CLOSED SESSION

Motion:

At 8:09 p.m., **Cory Ritz** made a motion to go into a closed meeting for purpose of property acquisition, and character and competency of an employee. **Alex Leeman** seconded the motion which was unanimously approved.

Sworn Statement

I, **Brett Anderson**, Mayor Pro Tempore of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.

Brett Anderson, Mayor Pro Tempore

Motion:

At 8:46 p.m., a motion to reconvene into an open meeting was made by **Rebecca Wayment**. The motion was seconded by **Cory Ritz** which was unanimously approved.

ADJOURNMENT

Motion:

At 8:46 p.m., **Doug Anderson** moved to adjourn the meeting.

Holly Gadd, City Recorder